

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #3	CCRB Case #: 201510184	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 11/22/2015 11:55 PM	Location of Incident: § 87(2)(b)	Precinct: 50	18 Mo. SOL 5/22/2017	EO SOL 5/22/2017	
Date/Time CV Reported Mon, 11/23/2015 12:05 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 12/01/2015 1:06 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. LT Neil Zuber	00000	931483	PSA 7
2. POM Officers			PSA 7

Officer(s)	Allegation	Investigator Recommendation
A.LT Neil Zuber	Abuse: Lt Neil Zuber entered and searched § 87(2)(b) in the Bronx.	§ 87(2)(b)
B.POM Officers	Abuse: Officers entered and searched § 87(2)(b) in the Bronx.	§ 87(2)(b)

### Case Summary

§ 87(2)(b) filed the following complaint over the telephone with IAB on November 23, 2015, generating log number 15-36260. The complaint was received at the CCRB on December 1, 2015.

§ 87(2)(b) provided a telephone statement to the CCRB on December 4, 2015. On December 15, 2015, the undersigned investigator called § 87(2)(b) for a telephone interview since she is homebound. § 87(2)(b) interrupted the reading of the interview script during the section which explains that any statements made can be subpoenaed during court proceedings. § 87(2)(b) argued that she did not want to go to court and that she wanted to make a complaint without having to go to court. The undersigned investigator explained multiple times to § 87(2)(b) that the script does not state that she is required to go to court and that it merely refers to individuals who have ongoing criminal or civil court proceedings. It was also explained that a trial could only occur with her CCRB complaint if the allegations of the officers are substantiated, and even if that occurred it did not guarantee that her presence in court would be necessary. Despite multiple explanations, § 87(2)(b) continuously stated that she did not want to proceed with the investigation and eventually hung up the phone.

Six additional calls were made to § 87(2)(b) between January 4 and January 15, 2016 to further explain that the subpoena section of the CCRB script refers to contents of her investigative file and statements she makes to the CCRB and the fact that they could be requested via legal document requests. On January 8, 2016, § 87(2)(b) answered the phone and the explanation was given to her, however she was still irate and would not understand. She eventually agreed to provide a statement and it was explained that the CCRB would accommodate her should she ever need to go to a trial for a substantiated allegation. § 87(2)(b) did not want to speak because she was heavily medicated and told the undersigned investigator to call back. Three calls were made to § 87(2)(b) to set up an interview and she did not answer. Two additional letters were sent to § 87(2)(b) via USPS on January 4 and January 11, 2016. As of the writing of this report, the letters have not been returned and § 87(2)(b) has not contacted the CCRB to set up an interview.

§ 87(2)(g)

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Squad:

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Attorney: \_\_\_\_\_  
Title/Signature Print Date